

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:
UNITED STATES OF AMERICA :
:
- v. - :
:
BILLY ORTEGA, :
a/k/a "Jason," and :
JOSEFINA MARINE, :
:
Defendants. :
- - - - - X

SEALED
SUPERSEDING INDICTMENT

S3 22 Cr. 91 (RA)

COUNT ONE
(Narcotics Conspiracy Resulting in Death)

The Grand Jury charges:

1. From at least in or about 2018, up to and including in or about February 2022, in the Southern District of New York and elsewhere, BILLY ORTEGA, a/k/a "Jason," and JOSEFINA MARINE, the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that BILLY ORTEGA, a/k/a "Jason," and JOSEFINA MARINE, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that BILLY ORTEGA, a/k/a "Jason," and JOSEFINA MARINE, the defendants, conspired to

distribute and possess with intent to distribute were (i) five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (ii) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

4. The use of such controlled substances, which had been distributed by BILLY ORTEGA, a/k/a "Jason," the defendant on or about March 17, 2021, resulted in the deaths of Julia Ghahramani, Amanda Scher, and Ross Mtangi in New York, New York.

(Title 21, United States Code, Section 846.)

COUNT TWO
(Narcotics Distribution Resulting in Death)

The Grand Jury further charges:

5. On or about March 17, 2021, in the Southern District of New York and elsewhere, BILLY ORTEGA, a/k/a "Jason," the defendant, intentionally and knowingly distributed and possessed with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

6. The controlled substances involved in the offense were (i) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (ii) mixtures and substances containing a

detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

7. The use of such controlled substances resulted in the death of Julia Ghahramani on or about March 17, 2021, in New York, New York.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.)

COUNT THREE
(Narcotics Distribution Resulting in Death)

The Grand Jury further charges:

8. On or about March 17, 2021, in the Southern District of New York and elsewhere, BILLY ORTEGA, a/k/a "Jason," the defendant, intentionally and knowingly distributed and possessed with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

9. The controlled substances involved in the offense were (i) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (ii) mixtures and substances containing a

detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

10. The use of such controlled substances resulted in the death of Amanda Scher on or about March 17, 2021, in New York, New York.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.)

COUNT FOUR
(Narcotics Distribution Resulting in Death)

The Grand Jury further charges:

11. On or about March 17, 2021, in the Southern District of New York and elsewhere, BILLY ORTEGA, a/k/a "Jason," intentionally and knowingly distributed and possessed with the intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

12. The controlled substances involved in the offense were (i) mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C); and (ii) mixtures and substances containing a

detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

13. The use of such controlled substance resulted in the death of Ross Mtangi on or about March 17, 2021, in New York, New York.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); and Title 18, United States Code, Section 2.)

COUNT FIVE
(Firearms Use, Carrying, Possession)

The Grand Jury further charges:

14. From at least in or about 2018 through in or about February 2022, in the Southern District of New York and elsewhere, BILLY ORTEGA, a/k/a "Jason," and JOSEFINA MARINE, the defendants during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics trafficking conspiracy charged in Count One of this Indictment, knowingly did use and carry firearms, and, in furtherance of such crime, did possess firearms, and did aid and abet the use, carrying, and possession of firearms.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

FORFEITURE ALLEGATION

15. As a result of committing the offenses alleged in Counts One, Two, Three, and Four of this Indictment, BILLY ORTEGA, a/k/a "Jason," the defendant, shall forfeit to the United States,

pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offenses and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

16. As a result of committing the offense alleged in Count One of this Indictment, JOSEFINA MARINE, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

Substitute Assets Provision

17. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

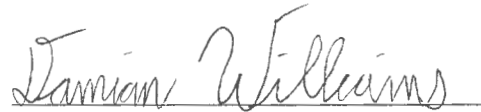
(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON



DAMIAN WILLIAMS
United States Attorney

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JOSEFINA MARINE,

Defendants.

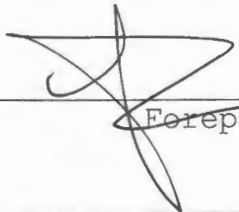
SEALED SUPERSEDING INDICTMENT

S3 22 Cr. 91 (RA)

(21 U.S.C. §§ 841, 846; 18 U.S.C.
§§ 924(c)(1)(A)(i) and 2 .)

DAMIAN WILLIAMS

United States Attorney



Foreperson

9/28/22 Filed INDUING, WARRANT ISSUED
COTT, 10/11/22